

IN LIQUIDATION
BANKRUPTCY CASE NO. 08-1789 (BRL)
Nov. 4, 2009

CLERK OF THE U. S. BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
ONE BOWLING GREEN
NEW YORK, N.Y. 10004

GENTLEMEN:

WE RECEIVED YOUR LETTER WHICH DENIED
US ANY FUNDS FROM THE MADOFF Ponzi SCHEME.
WE DID DEPOSIT \$130,000 AND WE DID WITHDRAW
\$145,900.

HOWEVER, IF YOU LOOK CAREFULLY ON OUR
WITHDRAWALS (EXCEPT FOR THE \$25,000) YOU WILL
FIND THEY WERE ALL SMALL WITHDRAWALS. WE USED
THOSE WITHDRAWALS FOR OUR ESTIMATED INCOME
TAX PAYMENTS FOR THE FAKE MADOFF Ponzi SCHEME.
THE IRS HAS ABOUT \$100,000 OF THIS MONEY
AND THEY ARE REFUSING TO SEND IT BACK TO US
AS OF THIS DATE. (SEE ENCLOSED IRS DECLARATION
REFUSAL)

YOU ARE REFUSING TO SEND US ANY MONEY. THE
IRS IS REFUSING TO SEND US ANY MONEY BACK
FROM THE MADOFF Ponzi SCHEME.

I AM AN 83 YEAR OLD SENIOR CITIZEN WW II
VETERAN AND MY WIFE IS 82 YEARS OLD. WE HAVE
NO WAY OF MAKING BACK ANY OF THIS MONEY.

PLEASE HELP US GET SOMETHING BACK.

THANK YOU,

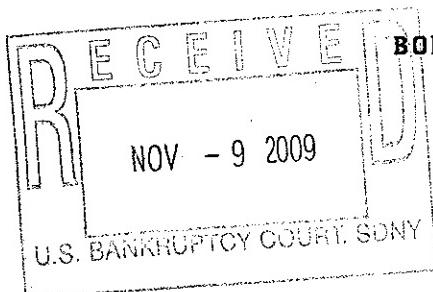
HERBERT & HELEN FOX J/T VROS
12650 S.W. 6TH ST. APT. #315
PEMBROKE PINES, FL 33027
TEL. # 954-437-7661



ATLANTA GA 39901-0025
71617617928078848763

In reply refer to: 0732322225
Oct. 19, 2009 LTR 105C EO
129-14-7767 200512 30
00003923
BODC: WI

HERBERT & HELEN FOX
12650 SW 6TH ST APT 315
PEMBROKE PNS FL 33027-1754



000684

CERTIFIED MAIL

Taxpayer Identification Number: 129-14-7767
Kind of Tax: Individual Income
Amount of Claim : \$ 7,546.00

Date of Claim(s) Received: Apr. 07, 2009
Tax Period : Dec. 31, 2005

CISPQTTVPD

WE COULDN'T ALLOW YOUR CLAIM

Dear Taxpayer:

WHY WE'RE SENDING YOU THIS LETTER

This letter is your notice that we've disallowed your claim for credit for the period shown above.

WHY WE CANNOT ALLOW YOUR CLAIM

We have received your election to claim the Ponzi scheme loss on your 2008 return/amended return. Your previously submitted claim(s) for loss are disallowed.

IF YOU DISAGREE

You have the right to appeal our decision to disallow your claim. You may represent yourself before Appeals. You may have an attorney, certified public accountant, or person enrolled to practice before the Internal Revenue Service represent you. To have someone represent you, attach Form 2848, Power of Attorney and Declaration of Representative, (or similar written power of attorney) to your written statement. If we do not hear from you within 30 days from the date of this letter, we will process your case without further action.

You may request a small dollar case appeal for a disallowed claim that is less than \$25,000 or prepare a formal protest for a disallowed claim over \$25,000.

To request a small dollar case appeal for a claim, do the following:
1. State that you want to appeal.

0732322225
Oct. 19, 2009 LTR 105C E0
129-14-7767 200712 30
00003933

HERBERT & HELEN FOX
12650 SW 6TH ST APT 315
PEMBROKE PNS FL 33027-1754



000682 Signature of Representative Enrollment Number Date

If you do not agree with our decision, you may file suit to recover tax, penalties, or other amounts, with the United States District Court having jurisdiction or with the United States Claims Court. These courts are part of the judiciary branch of the federal government and have no connection with the Internal Revenue Service.

The law permits you to do this within 2 years from the date of this letter. If you decide to appeal our decision first, the 2-year period still begins from the date of this letter. However, if you signed an agreement that waived your right to the notice of disallowance (Form 2297), the period for filing suit begins on the date you filed the waiver.

If you need forms, schedules or publications to respond to this letter, you can obtain them by visiting the IRS website at www.irs.gov or by calling 1-800-TAX-FORM (1-800-829-3676).

HOW TO CONTACT US

If you have any questions, please call us toll free at 1-800-829-0922.

If you prefer, you may write to us at the address shown at the top of the first page of this letter.

Whenever you write, please include this letter and, in the spaces below, give us your telephone number with the hours we can reach you. Also, you may want to keep a copy of this letter for your records.

Telephone Number (⁹⁵⁴) 437-7661 Hours AFTER 2nd PM



ATLANTA GA 39901-0025
71617617928078848756

In reply refer to: 0732322225
Oct. 19, 2009 LTR 105C EO
129-14-7767 200612 30
00003927
BODC: WI

HERBERT & HELEN FOX
12650 SW 6TH ST APT 315
PEMBROKE PNS FL 33027-1754



000683

CERTIFIED MAIL

Taxpayer Identification Number: 129-14-7767
Kind of Tax: Individual Income
Amount of Claim : \$ 13,659.00

Date of Claim(s) Received: Apr. 07, 2009
Tax Period : Dec. 31, 2006

CISK78YQJL

WE COULDN'T ALLOW YOUR CLAIM

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This letter is your notice that we've disallowed your claim for credit for the period shown above.

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Oct. 19, 2009 LTR 105C EO
129-14-7767 200712 30
00003933

HERBERT & HELEN FOX
12650 SW 6TH ST APT 315
PEMBROKE PNS FL 33027-1754



000682

Signature of Representative

Enrollment Number Date

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ATLANTA GA 39901-0025
71617617928078848749

In reply refer to: 0732322225
Oct. 19, 2009 LTR 105C E0
129-14-7767 200712 30
00003931
BODC: WI

HERBERT & HELEN FOX
12650 SW 6TH ST APT 315
PEMBROKE PNS FL 33027-1754



000682

CERTIFIED MAIL

Taxpayer Identification Number: 129-14-7767
Kind of Tax: Individual Income
Amount of Claim : \$ 12,166.00

Date of Claim(s) Received: Apr. 07, 2009
Tax Period : Dec. 31, 2007

CISD25L63W

WE COULDN'T ALLOW YOUR CLAIM

Dear Taxpayer:

WHY WE'RE SENDING YOU THIS LETTER

This letter is your notice that we've disallowed your claim for credit for the period shown above.

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Telephone Number (954) 437-7661 Hours AFTER 2⁰⁰ PM

BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

DECEMBER 11, 2008

NOTICE OF TRUSTEE'S DETERMINATION OF CLAIM

October 19, 2009

Herbert Fox or Helen Fox J/T WROS
12650 S. W. 6th Street Apt. #315
Pembroke Pines, FL 33027

Dear Mr. and Mrs. Fox:

PLEASE READ THIS NOTICE CAREFULLY.

The liquidation of the business of BERNARD L. MADOFF INVESTMENT SECURITIES LLC (“BLMIS”) is being conducted by Irving H. Picard, Trustee under the Securities Investor Protection Act, 15 U.S.C. § 78aaa et seq. (“SIPA”), pursuant to an order entered on December 15, 2008 by the United States District Court for the Southern District of New York.

The Trustee has made the following determination regarding your claim on BLMIS Account No. 1ZA167 designated as Claim Number 000818:

Your claim for a credit balance of \$821,557.18 and for securities is **DENIED**. No securities were ever purchased for your account.

Further, based on the Trustee’s analysis, the amount of money you withdrew from your account at BLMIS (total of \$145,900.00), as more fully set forth in Table 1 annexed hereto and made a part hereof, is greater than the amount that was deposited with BLMIS for the purchase of securities (total of \$130,000.00). As noted, no securities were ever purchased by BLMIS for your account. Any and all profits reported to you by BLMIS on account statements were fictitious.

¹ Section 78III(7)(B) of SIPA states that the filing date is “the date on which an application for a protective decree is filed under 78eee(a)(3),” except where the debtor is the subject of a proceeding pending before a United States court “in which a receiver, trustee, or liquidator for such debtor has been appointed and such proceeding was commenced before the date on which such application was filed, the term ‘filing date’ means the date on which such proceeding was commenced.” Section 78III(7)(B). Thus, even though the Application for a protective decree was filed on December 15, 2008, the Filing Date in this action is on December 11, 2008.

Since there were no profits to use either to purchase securities or to pay you any money beyond the amount that was deposited into your BLMIS account, the amount of money you received in excess of the deposits in your account (\$15,900.00) was taken from other customers and given to you. Accordingly, because you have withdrawn more than was deposited into your account, you do not have a positive "net equity" in your account and you are not entitled to an allowed claim in the BLMIS liquidation proceeding. Therefore, your claim is **DENIED** in its entirety.

Should a final and unappealable court order determine that the Trustee is incorrect in his interpretation of "net equity" and its corresponding application to the determination of customer claims, the Trustee will be bound by that order and will apply it retroactively to all previously determined customer claims in accordance with the Court's order. Nothing in this Notice of Trustee's Determination of Claim shall be construed as a waiver of any rights or claims held by you in having your customer claim re-determined in accordance with any such Court order.

Nothing in this Notice of Trustee's Determination of Claim shall be construed as a waiver of any rights or claims held by the Trustee against you.

PLEASE TAKE NOTICE: If you disagree with this determination and desire a hearing before Bankruptcy Judge Burton R. Lifland, you **MUST** file your written opposition, setting forth the grounds for your disagreement, referencing Bankruptcy Case No. 08-1789 (BRL) and attaching copies of any documents in support of your position, with the United States Bankruptcy Court and the Trustee within **THIRTY DAYS** after October 19, 2009, the date on which the Trustee mailed this notice.

PLEASE TAKE FURTHER NOTICE: If you do not properly and timely file a written opposition, the Trustee's determination with respect to your claim will be deemed confirmed by the Court and binding on you.

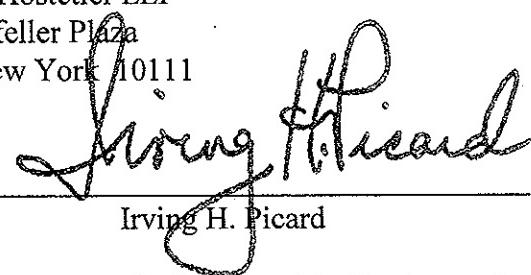
PLEASE TAKE FURTHER NOTICE: If you properly and timely file a written opposition, a hearing date for this controversy will be obtained by the Trustee and you will be notified of that hearing date. Your failure to appear personally or through counsel at such hearing will result in the Trustee's determination with respect to your claim being confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: You must mail your opposition, if any, in accordance with the above procedure, to each of the following addresses:

Clerk of the United States Bankruptcy Court for
the Southern District of New York
One Bowling Green
New York, New York 10004

and

Irving H. Picard, Trustee
c/o Baker & Hostetler LLP
45 Rockefeller Plaza
New York, New York 10111



Irving H. Picard

Trustee for the Liquidation of the Business of
Bernard L. Madoff Investment Securities LLC

| Table 1 | | |
|---|-------------------------|----------------|
| DEPOSITS | | |
| DATE | TRANSACTION DESCRIPTION | AMOUNT |
| 12/4/1992 | CHECK | \$130,000.00 |
| Total Deposits: | | \$130,000.00 |
| | | |
| WITHDRAWALS | | |
| DATE | TRANSACTION DESCRIPTION | AMOUNT |
| 12/30/1997 | CHECK | (\$5,000.00) |
| 4/16/1998 | CHECK | (\$5,000.00) |
| 7/10/2000 | CHECK | (\$8,000.00) |
| 3/9/2001 | CHECK | (\$8,000.00) |
| 3/8/2002 | CHECK | (\$9,000.00) |
| 9/4/2002 | CHECK | (\$9,000.00) |
| 4/11/2003 | CHECK | (\$9,000.00) |
| 8/19/2003 | CHECK | (\$6,000.00) |
| 3/3/2004 | CHECK | (\$5,000.00) |
| 5/10/2004 | CHECK | (\$5,000.00) |
| 8/16/2004 | CHECK | (\$5,000.00) |
| 1/5/2005 | CHECK | (\$25,000.00) |
| 4/25/2005 | CHECK | (\$5,000.00) |
| 9/30/2005 | CHECK | (\$5,000.00) |
| 5/1/2006 | CHECK | (\$3,000.00) |
| 9/25/2006 | CHECK | (\$4,000.00) |
| 3/14/2007 | CHECK | (\$9,900.00) |
| 5/15/2007 | CHECK | (\$3,000.00) |
| 8/20/2007 | CHECK | (\$5,000.00) |
| 12/7/2007 | CHECK | (\$3,000.00) |
| 3/14/2008 | CHECK | (\$3,000.00) |
| 5/23/2008 | CHECK | (\$2,000.00) |
| 12/2/2008 | CHECK | (\$4,000.00) |
| Total Withdrawals: | | (\$145,900.00) |
| | | |
| Total deposits less withdrawals: | | (\$15,900.00) |